

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

In Re:  
Robert Dean Schooler and Tina Marie Schooler  
  
Liberty Mutual Insurance Company                      Debtor(s)  
vs.  
United States of America by Lamesa National Bank                      Appellant(s)  
    Appellee(s)

§ Case No.: 01-51003-rlj  
§ Chapter No.: 7  
§ Adversary No.: 09-05011-rlj  
§ Civil Action No.:  
§  
§  
§  
§

2011 SEP 19 AM 9:26

DEPUTY CLERK

5-11-CV-0175-e

### TRANSMITTAL AND CERTIFICATION OF RECORD ON APPEAL

Pursuant to Federal Rules of Bankruptcy Procedure 8007, the appeal filed on July 14, 2011 regarding Docket No. 90 Judgment by Liberty Mutual Insurance Company in the above styled bankruptcy case is hereby transmitted to the U.S. District Court for the Northern District of Texas.

This record on appeal contains all items listed on the attached index, and is in compliance with Rule 8007 of the Federal Rules of Bankruptcy Procedure.

All further pleadings or inquiries regarding this matter should be directed to the U.S. District Clerk's Office until such time as the appeal is fully processed in the U.S. District Court.

The above referenced record was delivered to the U.S. District Clerk's Office on September 19, 2011.

DATED: 9/19/11

FOR THE COURT:  
Tawana C. Marshall, Clerk of Court

by: /s/K. Daniel, Deputy Clerk

I hereby certify that the foregoing is a true copy of the original thereof now in my office this the 19th day of September 2011 at Lubbock, Texas

Tawana C. Marshall, Clerk  
United States Bankruptcy Court  
Northern District of Texas

By Kay Daniel Deputy

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS

**APPEAL SERVICE LIST**

**Transmission of the Record**

BK Case No.: 01-51003-rlj7

Adversary No.: 09-05011-rlj

Received in District Court by: B. J. H.

Date: 9-19-11

Volume Number(s): 2 Vols of mini record / 7 vols of ROA

cc: Robert L. Jones  
Casey Doherty  
Cathy Sosebee & Associates  
Attorney(s) for Appellant  
US Trustee

**Appellant/Cross-Appellee** Liberty Mutual Insurance Company

Don C. Dennis  
Boerner, Dennis & Franklin, PLLC  
P. O. Box 1738  
Lubbock, TX 79408  
(806) 763-0044

**Cross-Appellant/Appellee** United States of America by Lamesa National Bank

James L. Gorsuch  
4412 74th Street, Suite B-102  
Lubbock, TX 79424  
(806) 771-6474

William Riley Nix, Jr.  
717 North Crockett Street  
Sherman, TX 75090-4979

BTXN 150 (rev. 11/10)

In Re:  
Robert Dean Schooler and Tina Marie Schooler

United States of America by Lamesa National Bank  
vs.  
Liberty Mutual Insurance Company

Debtor(s)  
Plaintiff(s)  
Defendant(s)

Case No.: 01-51003-rlj7

Chapter No.: 7

Adversary No.: 09-05011-rlj

5-11 CV 0175-C

## CIVIL CASE COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

### I. (a) APPELLANT

Liberty Mutual Insurance Company

(b) County of Residence of First Listed Party:  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)  
Don C. Dennis  
Boerner, Dennis & Franklin, PLLC  
P. O. Box 1738  
Lubbock, TX 79408  
(806) 763-0044

### APPELLEE

United States of America by Lamesa National Bank

County of Residence of First Listed Party:  
(IN U.S. PLAINTIFF CASES ONLY)

Attorney's (If Known)  
James L. Gorsuch  
4412 74th St., Suite B-102  
Lubbock, TX 79442  
(806) 771-6474

William Riley Nix, Jr.  
717 North Crockett Street  
Sherman, TX 75090-4979

### II. BASIS OF JURISDICTION

1 U.S. Government Plaintiff       2 U.S. Government Defendant       3 Federal Question (U.S. Government Not a Party)       4 Diversity (Indicate Citizenship of Parties in Item III)

### III. CITIZENSHIP OF PRINCIPAL PARTIES

|   |                         |                                    |   |                         |                                    |
|---|-------------------------|------------------------------------|---|-------------------------|------------------------------------|
| Citizen of This State                   | <input type="radio"/> 1 | <input checked="" type="radio"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="radio"/> 4 | <input checked="" type="radio"/> 4 |
| Citizen of Another State                | <input type="radio"/> 2 | <input checked="" type="radio"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="radio"/> 5 | <input checked="" type="radio"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="radio"/> 3 | <input checked="" type="radio"/> 3 | Foreign Nation  | <input type="radio"/> 6 | <input checked="" type="radio"/> 6 |

### IV. NATURE OF SUIT

422 Appeal 28 USC 158       423 Withdrawal 28 USC 157       890 Other Statutory Actions

### V. ORIGIN

|  |  |   |  |
|--|--|---|--|
| <input type="radio"/> 1 Original Proceeding                          | <input type="radio"/> 2 Removed from State Court | <input type="radio"/> 3 Remanded from Appellate Court                     | <input type="radio"/> 4 Reinstated or Reopened |
| <input checked="" type="radio"/> 5 Transferred from another district | <input type="radio"/> 6 Multidistrict Litigation | <input type="radio"/> 7 Appeal to District Judge from Magistrate Judgment |  |

### VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 USC 158

Brief description of cause:  
Notice of appeal of bankruptcy court order

### VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23      DEMAND \$      CHECK YES only if demanded in complaint:  
JURY DEMAND:  Yes  No

### VIII. RELATED CASE(S) IF ANY

Judge: Docket Number:

DATED: 9/19/11

FOR THE COURT:  
Tawana C. Marshall, Clerk of Court